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Tim Froidcoeur

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EXAMINER

HUSSAIN, FARRUKH

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/562,872	<b>Applicant(s)</b> FROIDCOEUR ET AL.	
	<b>Examiner</b> FARRUKH HUSSAIN	<b>Art Unit</b> 2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in regards to the response received on 05/17/2010.

Claims 9 and 13 have been amended. Claims 1-18, 20-27 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed 05/17/2010 have been fully considered but they are not persuasive.

3. With respect to the Objection to Specification has been withdrawn because the applicants admitted on the Remarks filed on 05/17/2010, page 7, lines 10-14, "At the time the application was filed, one of ordinary skill in the art would know that a computer readable medium is any medium that can be read by a computer, and no further definition is required".

4. With regards to the Claim Rejection under 35 USC § 101 with respect to the claim 9 has been withdrawn.

With regards to the Claim Rejection under 35 USC § 101 with respect to the claim 13 and the Claim Rejection under 35 USC § 103 (a) have been maintained.

5. With respect to the Claim Rejection under 35 USC § 101, the claim 13, the claim recites A device comprising: a UPnP interface; a renderer that is configured to render content received from at least one media server; and a controller that is configured to control reception of the content from the media server; wherein: the controller is configured to receive a URI via the UPnP interface from an external UPnP Control Point, for receiving a content directory

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from the media server that provides an organization context of an item of the content at the media server, and to control selection of at least one subsequent item of the content based on the content directory.

The examiner would like to state that the media server could be software. There is nothing in the specification would lead one to believe that the media server is a hardware.

It appears that claim 13 would interpret by one of ordinary skill as a device of software, failing to fall within a statutory category of process, machine, manufacture, or composition of matter. There is no hardware in claim 13.

Examiner respectfully submits that applicants' disclosure (page 1, lines 17-20 reciting "UPnP allows non-IP devices to be proxied by a software component running on IP-compliant devices. Such a component, called Controlled Device (CD) proxy, is responsible for translation and forwarding of UPnP interactions to the proxied device" provides intrinsic evidence that the device of claim 13 is intend to cover "software", functional descriptive material. As such, the device of "software" alone is not a machine, and it is clearly not a process, manufacture nor composition of matter. Thus, the claim is not limited to statutory subject matter and is therefore nonstatutory.

Point A. Applicants argues regarding claims 1-3, 5-7, 9-11 and 13-27 that Nowhere in the cited text does Salmonsens teach or suggest creating a URI representation of a Content Directory Service.

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As to Point A, the examiner would like to state that the claims do not recite creating a URI representation of a Content Directory Service.

Point B. Applicants argues regarding claims 1-3, 5-7, 9-11 and 13-27 that As is clearly evident, Salmonsens discloses that the media directory contains URIs; Salmonsens does not teach or suggest that a description of the media directory is available as a URI representation, nor does Salmonsens teach or suggest that the media renderer and/or controller receives or processes such a (non-existent) URI representation of a description of the media directory.

As to Point B, the examiner respectfully disagrees. Salmonsens does teach or suggest that a description of the media directory is available as a URI representation, also Salmonsens does teach or suggest that the media renderer and/or controller receives or processes such a (non-existent) URI representation of a description of the media directory (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources*). The examiner would like to state that when the media directory stores URI that identifies the content resources, that identification is the description of the media directory. With regards to the media renderer and/or controller receives or processes such a (non-existent) URI representation of a description of the media directory, Salmonsens teaches (*see paragraph 0012, lines 1-13 The communication system further comprises an emulator coupled to the media renderer and a control point. The emulator is capable of receiving media content in a non-native format*). The examiner would like to state that the

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media content includes Uniform Resource Identifiers (URIs) that identify content resources in the media directory.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**6. Claim 13-21 are rejected under 35 U.S.C. 101 because the claims are directed to non-statutory subject matter.**

7. With respect to the claim 13, the claim recites A device comprising: a UPnP interface; a renderer that is configured to render content received from at least one media server; and a controller that is configured to control reception of the content from the media server; wherein: the controller is configured to receive a URI via the UPnP interface from an external UPnP Control Point, for receiving a content directory from the media server that provides an organization context of an item of the content at the media server, and to control selection of at least one subsequent item of the content based on the content directory.

The examiner would like to state that the media server could be software. There is nothing in the specification would lead one to believe that the media server is a hardware.

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It appears that claim 13 would interpret by one of ordinary skill as a system of software, failing to fall within a statutory category of process, machine, manufacture, or composition of matter. There is no hardware in claim 13.

Examiner respectfully submits that applicants' disclosure (page 1, lines 17-20 reciting "UPnP allows non-IP devices to be proxied by a software component running on IP-compliant devices. Such a component, called Controlled Device (CD) proxy, is responsible for translation and forwarding of UPnP interactions to the proxied device" provides intrinsic evidence that the device of claim 13 is intend to cover "software", functional descriptive material. As such, the device of "software" alone is not a machine, and it is clearly not a process, manufacture nor composition of matter. Thus, the claim is not limited to statutory subject matter and is therefore nonstatutory.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**8. Claims 1-3, 5-7, 9-11 and 13-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weast (US 7,454,511 B2), in view of Salmonsens et al (Salmonsens) (US 2003/0220781 A1).**

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9. With respect to the claim 1, Weast reference teaches a method of enabling a UPnP-compliant MediaRenderer-Control Point combination to use an organizational context of a content item as represented in a UPnP Content Directory Service (*see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music*).

Weast fails to explicitly teach the method comprising enabling the combination to receive a URI representative of a Content Directory Service description. However, Salmonsens reference does teach or suggest the method comprising enabling the combination to receive a URI representative of a Content Directory Service description (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources and see paragraph 0012, lines 1-13 The communication system further comprises an emulator coupled to the media renderer and a control point. The emulator is capable of receiving media content in a non-native format*).

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Salmonsens to utilize the receiving a URI representative of a Content Directory Service description feature within the enabling a UPnP-compliant MediaRenderer-Control Point combination taught by Weast. The motivation for this would have been to identify a resource by name, location, or another characteristic (*see Salmonsens, paragraph 0123, lines 1-15*).



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10. With respect to the claim 2, Salmonsens further teaches comprising enabling the combination to receive the URI together with an objectID representative of the content item (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources*).

The motivation for combining Salmonsens with Weast would be the same as for the claim 1.

11. With respect to the claim 3, Salmonsens further teaches comprising providing a ProtocolInfo string referring to the content item and the organizational context for enabling the combination to retrieve a further URI representative of the content item for being streamed using a streaming protocol (*see paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11*).

The motivation for combining Salmonsens with Weast would be the same as for the claim 1.

12. With respect to the claim 5, Weast further teaches an electronic device comprising a UPnP-compliant MediaRenderer-Control Point combination configured to exploit an organizational context of a content item as represented in a UPnP Content Directory Service (*see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music*).

Weast fails to explicitly teach the device being configured to process a URI representative of the Content Directory description. However, Salmonsens reference does teach or suggest the device being configured to process a URI

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representative of the Content Directory description (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources... The media directory 518 holds URIs of all files that the server 500 can deliver for rendering (process) and see paragraph 0008, lines 1-11 a communication media device (Control point) comprises an internal media content source, an internal interface coupled to the internal media content source and capable of carrying media content in a native format, and a media renderer*).

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Salmonsens to utilize the process a URI representative of a Content Directory Service description feature within the enabling a UPnP-compliant MediaRenderer-Control Point combination taught by Weast. The motivation for this would have been to identify a resource by name, location, or another characteristic (*see Salmonsens, paragraph 0123, lines 1-15*).

13. With respect to the claim 6, Salmonsens further teaches configured to process an objectID, representative of the content item, together with the URI (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources*).

The motivation for combining Salmonsens with Weast would be the same as for the claim 1.

14. With respect to the claim 7, Salmonsens further teaches configured to process a ProtocolInfo string referring to the content item and the organizational context for enabling the combination to retrieve a further URI representative of

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the content item for being streamed using a streaming protocol (see *paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11*).

The motivation for combining Salmonsens with Weast would be the same as for the claim 1.

15. With respect to the claim 9, Weast further teaches Control software stored on a non-transient computer-readable medium for installation on and execution by a UPnP-compliant MediaRenderer-Control Point combination for enabling the MediaRenderer to exploit an organizational context of a content item as represented in a UPnP Content Directory Service. (see *column 4, lines 45-52 Processor 202 is employed to execute various software components 214, e.g. media related services 112 and operating system services and see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music*).

Weast fails to explicitly teach the software being configured to process a URI representative of the Content Directory Service description. However, Salmonsens does teach or suggest the software being configured to process a URI representative of the Content Directory Service description (see *paragraph 0019, lines 1-3 FIG. 5 is a component diagram showing various system, hardware, and software components of a server for usage with an emulator interface and see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources ... The media directory 518 holds URIs of all files that the server 500 can deliver for rendering (process) and see paragraph 0008, lines 1-11 a communication media device*

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*(Control point) comprises an internal media content source, an internal interface coupled to the internal media content source and capable of carrying media content in a native format, and a media renderer).*

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Salmonsens to utilize the receiving a URI representative of a Content Directory Service description feature within the enabling a UPnP-compliant MediaRenderer-Control Point combination taught by Weast. The motivation for this would have been to identify a resource by name, location, or another characteristic (see *Salmonsens, paragraph 0123, lines 1-15*).

16. With respect to the claim 10, Salmonsens further teaches configured to process an objectID, representative of the content item, together with the URI (see *paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources*).

The motivation for combining Salmonsens with Weast would be the same as for the claim 1.

17. With respect to the claim 11, Salmonsens further teaches configured to process a ProtocolInfo string referring to the content item and the organizational context for enabling the combination to retrieve a further URI representative of the content item for being streamed using a streaming protocol (see *paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11*).

The motivation for combining Salmonsens with Weast would be the same as for the claim 1.

18. With respect to the claim 13, Weast further teaches A device comprising: a UPnP interface (*see column 2, lines 13-17 user interface being advantageously employed to make visible available UPnP media renderers of the operating environment*);

a renderer that is configured to render content received from at least one media server (*see abstract, lines 1-11 the file system services and the media related services are further equipped to cause a media content to be rendered by a UPNP media renderer*); and

a controller that is configured to control reception of the content from the media server (*see column 5, lines 10-15 an entertainment center controller*);

wherein: the controller is configured to control selection of at least one subsequent item of the content based on the content directory (*see column 3, lines 19-25 UPnP media servers 104 provide media contents 132 to selected ones of UPnP media renderers 106 to render, at the control of control point 102*).

Weast fails to explicitly teach the controller is configured to receive a URI via the UPnP interface from an external UPnP Control Point, for receiving a content directory from the media server that provides an organization context of an item of the content at the media server. However, Salmonsens does teach or suggest the controller is configured to receive a URI via the interface from an external Control Point, for receiving a content directory from the media server that provides an organization context of an item of the content at the media server (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources and see paragraph*

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*0012, lines 1-13 The communication system further comprises an emulator coupled to the media renderer and a control point. The emulator is capable of receiving media content in a non-native format).*

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Salmonsens to utilize configured to receive a URI via the interface feature within a UPnP interface taught by Weast. The motivation for this would have been to identify a resource by name, location, or another characteristic (see *Salmonsens, paragraph 0123, lines 1-15*).

19. With respect to the claim 14, Weast further teaches wherein the controller is configured as an other UPnP Control Point (see *column 5, lines 10-15 an entertainment center controller*).

20. With respect to the claim 15, Weast further teaches wherein the content directory corresponds to a UPnP Content Directory Service (see *abstract, lines 7-11 dropping the file system entry corresponding to the media content into the file system entry corresponding to the UPNP media renderer*).

21. With respect to the claim 16, Weast further teaches wherein the controller is configured to automatically select the subsequent item of the content upon conclusion of rendering the item (see *abstract, lines 1-11 media related services that automatically make visible to a user of the computing device and see column 3, lines 19-25 UPnP media servers 104 provide media contents 132 to selected ones of UPnP media renderers 106 to render, at the control of control point 102*).

22. With respect to the claim 17, Weast further teaches wherein the controller automatically selects the subsequent item based on a random selection from a Plurality of items identified in the content directory (*see abstract, lines 1-11 media related services that automatically make visible to a user of the computing device and see column 3, lines 19-25 UPnP media servers 104 provide media contents 132 to selected ones of UPnP media renderers 106 to render, at the control of control point 102*).

23. With respect to the claim 18, Weast further teaches wherein the controller automatically selects the subsequent item based on a logical order of a plurality of items identified in the content directory (*see abstract, lines 1-11 media related services that automatically make visible to a user of the computing device and see column 3, lines 19-25 UPnP media servers 104 provide media contents 132 to selected ones of UPnP media renderers 106 to render, at the control of control point 102 and see column 3, lines 1-6 the order of description should not be construed as to imply that these operations are necessarily order dependent*).

24. With respect to the claim 20, Salmonsens further teaches wherein the controller is configured to receive the URI together with an identifier of the item for rendering the item (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources and see paragraph 0008, lines 1-11 a communication media device (Control point) comprises an internal media content source, an internal interface coupled to the internal media content source and capable of carrying media content in a native format, and a media renderer*).

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25. With respect to the claim 21, Weast further teaches wherein the controller is configured to receive a UPnP ProtocolInfo string that refers to the item and the organizational context to facilitate receiving the item from the media server (*see column 2, lines 1-7 FIGS. 3a-3b illustrate an overview of the protocol and methods for the UPnP control point to interact with and control the UPnP media servers and the UPnP media renders*).

26. With respect to the claim 22, Weast further teaches A method for execution on a UPnP media renderer comprising:

receiving the content item from the media server based on the identification (*see column 6, lines 19-24 receive/pull and render provided media contents 132 from UPnP media servers 104, op 320*),

rendering the content item at the UPnP media renderer (*see column 6, lines 19-24 render a media content, control point device 102 instructs the applicable UPnP media renderers 106 accordingly*),

determining a subsequent content item at the media server to be rendered, based on the context and rendering the subsequent content item (*see column 7, lines 41-46 Upon so determining, file system services 124 and media related services 112 cooperate to cause the corresponding media content*).

Weast fails to explicitly teach receiving an identification of a content item at a media server to be rendered, and a URI corresponding to a context of the content item within the media server, from an external controller, receiving the context of the content item based on the URI. However, Salmonsens does teach or suggest receiving an identification of a content item at a media



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server to be rendered, and a URI corresponding to a context of the content item within the media server, from an external controller, receiving the context of the content item based on the URI (*see paragraph 0009, lines 1-15 receive media content from the out-of-band communication link and emulate the internal media content source so that the media renderer renders and see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources and see paragraph 0012, lines 1-13 The communication system further comprises an emulator coupled to the media renderer and a control point. The emulator is capable of receiving media content in a non-native format*).

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Salmonsens to utilize configured to receive a URI corresponding to a context of the content feature within receiving the content item from the media server taught by Weast. The motivation for this would have been to identify a resource by name, location, or another characteristic (*see Salmonsens, paragraph 0123, lines 1-15*).

27. With respect to the claim 23, Salmonsens further teaches wherein the URI identifies a UPnP Content Directory Service description (*see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources*).

The motivation for combining Salmonsens with Weast would be the same as for the claim 1.

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28. With respect to the claim 24, Weast further teaches wherein the external controller corresponds to a UPnP Control Point (*see column 1, lines 51-57 a UPnP control point to discern the media contents available from the various UPnP media servers, and the various UPnP media renderers present in a network domain*).

29. With respect to the claim 25, Weast further teaches wherein the context corresponds, to a content directory at the media server (*see abstract, lines 1-11 the file system entry corresponding to the media content into the file system entry corresponding to the UPNP media renderer*).

30. With respect to the claim 26, Weast further teaches wherein the determining of the subsequent content item is based on a random selection from a plurality of content items identified in the content directory item (*see column 7, lines 41-46 Upon so determining, file system services 124 and media related services 112 cooperate to cause the corresponding media content and see column 3, lines 19-25 UPnP media servers 104 provide media contents 132 to selected ones of UPnP media renderers 106 to render, at the control of control point 102*).

31. With respect to the claim 27, Weast further teaches wherein the determining of the subsequent content item is based on a logical order of a plurality of items identified in the content directory (*see column 7, lines 41-46 Upon so determining, file system services 124 and media related services 112 cooperate to cause the corresponding media content and see column 3, lines 1-6*

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*the order of description should not be construed as to imply that these operations are necessarily order dependent).*

**32. Claims 4, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weast (US 7,454,511 B2), in view of Salmonsens et al (US 2003/0220781 A1) and Saulpaugh et al (US 7,065,574 B1).**

33. With respect to the claim 4, Weast and Salmonsens further teaches a method of enabling a UPnP-compliant MediaRenderer-Control Point combination to use an organizational context of a content item as represented in a UPnP Content Directory Service (*see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music*).

Weast and Salmonsens fail to explicitly teach the streaming protocol is proprietary. However, Saulpaugh teaches proprietary protocol for interface to the external device (*see column 65, lines 7-13*).

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Saulpaugh to utilize the protocol for interface to the external device feature within the enabling a UPnP-compliant MediaRenderer-Control Point combination taught by Weast and Salmonsens. The motivation for this would have been to have a control and ownership of the streaming protocol (*see Saulpaugh, column 65, lines 7-13*).

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34. With respect to the claim 8, Weast and Salmonsens further teaches a method of enabling a UPnP-compliant MediaRenderer-Control Point combination to use an organizational context of a content item as represented in a UPnP Content Directory Service (*see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music*).

Weast and Salmonsens fail to explicitly teach the streaming protocol is proprietary. However, Saulpaugh teaches proprietary protocol for interface to the external device (*see column 65, lines 7-13*).

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Saulpaugh to utilize the protocol for interface to the external device feature within the enabling a UPnP-compliant MediaRenderer-Control Point combination taught by Weast and Salmonsens. The motivation for this would have been to have a control and ownership of the streaming protocol (*see Saulpaugh, column 65, lines 7-13*).

35. With respect to the claim 12, Weast and Salmonsens further teaches a method of enabling a UPnP-compliant MediaRenderer-Control Point combination to use an organizational context of a content item as represented in a UPnP Content Directory Service (*see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music*).

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Weast and Salmonsens fail to explicitly teach the streaming protocol is proprietary. However, Saulpaugh teaches proprietary protocol for interface to the external device (*see column 65, lines 7-13*).

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Saulpaugh to utilize the protocol for interface to the external device feature within the method of enabling a UPnP-compliant MediaRenderer-Control Point combination taught by Weast and Salmonsens. The motivation for this would have been to have a control and ownership of the streaming protocol (*see Saulpaugh, column 65, lines 7-13*).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARRUKH HUSSAIN whose telephone number is (571)270-5652. The examiner can normally be reached on Monday-Thursday, Alt. Friday, 7:30 A.M-5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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